### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fukushima, et al.	Group Art Unit: National Stage Filing
Serial No.: 10/525,096	Examiner:
Filed: 02/18/2005	
Title: Preventive Therapeutic Composition for Muscular Fatigue, Pulled Muscle and Disease Attributed Thereto	Atty. Docket No. SDF 05-3

### **PETITION UNDER RULE 181 and 182**

Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a petition requesting that the National Stage filing date of U.S. Serial no. 10/525,096 (International Application No. PCT/JP03/10047) be changed from February 22, 2005 to February 18, 2005.

Enclosed is a copy of "Notification of Missing Requirements" which indicates that the copy of the International Application (This National Stage Application) was filed on 2/22/2005.

On February 18, 2005 the undersigned attorney filed a National Stage application as entitled above along with a Preliminary Amendment, Information Disclosure Statement, and Certificate of Mailing by Express
correspondence received by the U.S.P.T.O. delivered by express mail to the U.S. Fosion.

Service (USPS) will be considered filed with the U.S.P.T.O. on the date of deposit with FCE/VED

19 SEP 2005

Enclosed is a copy of the receipt card stamped by the U.S.P.T.O. listing the enclosure of the National Stage Application along with the Certificate of Mailing by Express Mail.

Also enclosed is a copy of the Certificate of Mailing by Express Mail signed by the undersigned attorney and dated February 18, 2005. An Express Mail mailing label number of EO 907648960 US is included on the Certificate of Mailing.

Also enclosed is a copy of the "Customer Online Record" received from the USPS and having a "date in" of February 18, 2005. The "Online Record" has a Certificate of Mailing number of EO 907648960 US.

Accordingly in as much as the National Stage application as well as accompanying parts were mailed by Express Mail from the USPS on February 18, 2005, the undersigned attorney and petitioner kindly requests that the National Stage application, U.S. Serial No. 10/525,096 be given a National Stage filing date of February 18, 2005.

Date

Respectfully submitted,

Stuart D. Frenkel

Reg. No. 29,500

Law Office of Stuart D. Frenkel, P.C. 3975 University Drive, Suite 330

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## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Vinginia 22313-1450

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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/525,096 Fukushima JP-A0330-AM

INTERNATIONAL APPLICATION NO.

Law Office of Stuart D Frenkel 3975 University Dr Suite 330 Fairfax, VA 22030 
 LA. FILING DATE
 PRIORITY DATE

 08/07/2003
 08/21/2002

PCT/JP03/10047

CONFIRMATION NO. 5637
371 FORMALITIES LETTER
CC00000016494553\*

Date Mailed: 07/12/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/22/2005
- English Translation of the IA filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Copy of IPE Report filed on 02/22/2005
- Preliminary Amendments filed on 02/22/2005
- Information Disclosure Statements filed on 02/22/2005
- Request for Immediate Examination filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005
- Priority Documents filed on 02/22/2005

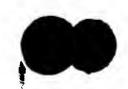
The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

\$130 Late oath or declaration Surcharge.







ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,096	PCT/JP03/10047	JР-A0330-AM

FORM PCT/DO/EO/905 (371 Formalities Notice)

18,2005 Filed: February

DT07 Rec'd PCT/PTO 2 2 FEB 2005

Preventive Therapeutic Composition for Muscular Fatigue, Pulled Muscle and Disease Attributed Thereto

Fukushima et al.

to the United States DO/EO/US Concerning a Submission under 35 USC 371 **Transmittal Letter** 

29-page specification

Sheets of Drawings

Transmittal Letter

/ Amendment 5-page Preliminary

Transmittal of IDS Form PTO-1449

2 Cited References

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Check for \$1,050.

SDF 005-03

February 18, 2005

BEST AVAILABLE

CERTIFICATE Of Applicant(s): Fukushi		PRESS MAIL" (37 CFR 1.10)		ket No. 0330-AM
Application No.	Filing Date 2/18/2005	Examiner	Customer No.	Group Art Unit
Invention: Preventive	Therapeutic composition	for Muscular Fatigue, Pulled Muscle a	and Disease Attrib	uted Thereto
	the following corresponde	ence: 050, Preliminary Amendment		
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•	(Date)			
•		Stuart D.		
		(Typed or Printed Name of Personal Second 1	Howh	ence)
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